

Practitioner's Docket No. 0113.00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Peter York, Anthony Wilkins Simon, Anthony Storey Richard, Ernest Walker
Stephen, and Ronald Scott Harland

Application No.: 10/070,093
Filed: 08/31/2000
For: Coformulation Methods and their Products

Group No.: Unknown
Examiner: Unassigned

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EU098717813US
Date of Deposit 07/31/2002

I hereby state that the following *attached* paper or fee

Completion of Filing Requirements, Notification of Missing Requirements, Declaration, Petition
for Non-Signing Inventor, Assignment Recordation Sheet, Assignment

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under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Assistant Commissioner for
Patents, Washington, D.C. 20231.

Kathy Honnert


Signature of person mailing paper or fee

PTO/PCT Rec'd 31 JUL 2002

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Date: 7/31/2002 By: Kathy Honnert

DOCKET NO.: 0113.00 (INHALE)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: York et al.

SERIAL NO.: 10/070,093

FILED: 8/31/2000

**FOR: COFORMULATION METHODS
AND THEIR PRODUCTS**

EXAMINER: Unassigned

ART UNIT: Unknown

**PETITION UNDER 37 C.F.R. §1.183
PETITION FOR NON-SIGNING INVENTOR**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully petition the Commissioner pursuant to 37 C.F.R. §1.183 to waive the requirement of all inventors to execute the declaration for the above-identified application. Numerous attempts have been made to reach Dr. Ronald Harland, a co-inventor of the present application, but to no avail. Copies of recent correspondence to Dr. Harland sent via Federal Express, as well as tracking information confirming its delivery, are enclosed. The fee of \$130 pursuant to 37 C.F.R. §1.17 (h) accompanies this petition

Respectfully submitted,
INHALE THERAPEUTIC SYSTEMS, INC.

By: Michael J. Rafa
Michael J. Rafa
Registration No. 38.740

Correspondence Address:

INHALE THERAPEUTIC SYSTEMS, INC.
150 Industrial Road
San Carlos, CA 94070

Serial No. 10/070,093
Docket No. 113.00

Practitioner's Docket No. 0113.00

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/GB00/03328	31 August 2000 (31.08.00)	31 August 1999 (31.08.99)
International Application No.	International Filing Date	Priority Date Claimed

Coformulation Methods and their Products

Title of Invention

York, Peter; Simon, Anthony Wilkins; Richard, Anthony Storey; Stephen, Ernest Walker; and Harland, Ronald Scott

Applicant(s)

Box PCT

Commissioner for Patents

Washington, D.C. 20231

ATTENTION: EO/US

**COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371**

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

DECLARATION OR OATH

- I. No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

FEES**EXPRESS MAILING UNDER 37 C.F.R. § 1.10****(Express Mail label number is mandatory.)**(Express Mail certification is optional)*

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date 31 July 2002 in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231 as "Express Mail Post Office to Addressee" Mailing Label No. EU098717813

Date:

7/31/02Kathy Honnert

Type or print name of person mailing paper

Kathy Honnert

Signature of person certifying

II.

1. Surcharge for filing the oath or declaration later than thirty months from the priority date pursuant to § 1.495(c): \$130.00

EXTENSION OF TIME

- III.** The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of one month, the other than small entity fee for which is \$110.00 as set out in 37 C.F.R. § 1.17(a)(1). If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request \$110.00

PETITION FEE

- IV.** Petition for Unsigned Inventor \$130.00

TOTAL FEE DUE

- IV.** The total fee due is:

Completion fee(s)	\$130.00
Extension fee (if any)	\$110.00
Petition fee	\$130.00

TOTAL FEE DUE \$440.00

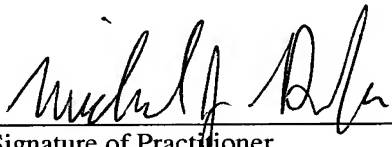
PAYMENT OF FEES**V.**

Authorization is hereby made to charge the amount of \$440.00 to Deposit Account No. 500348.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this request is attached.

Date: 7/31/02

Reg. No.: 38,740
Tel. No.: 650-631-5053
Customer No.: 21968



Signature of Practitioner

Michael J. Rafa
Inhale Therapeutic Systems, Inc.
150 Industrial Road
San Carlos, CA 94070
U.S.A.

MADE/POD CEREYS 00000000 500348 10070093

1. 130.00
2. 110.00
3. 130.00



June 6, 2002

VIA FEDERAL EXPRESS

Dr. Ronald Harland
1 Harlow Court
Yardley, PA 19067

Re: U.S. Patent Application Serial No. 10/070,093
National Phase of PCT/GB00/03328
for COFORMULATION METHODS AND THEIR PRODUCTS
(SEDS VIII)
Our Reference: 0113.00

Dear Dr. Harland,

Enclosed is a Declaration and Assignment for the above-referenced application for which you are an inventor. Please review the documents, sign where indicated and return to me in the enclosed Federal Express envelope. Please note the documents need to be filed with the U.S. Patent and Trademark Office by July 1, 2002. If you have any questions, please don't hesitate to contact me at (650)631-5053.

Thank you for your assistance with this matter.

Best regards,


Michael J. Rafa



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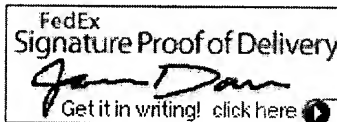
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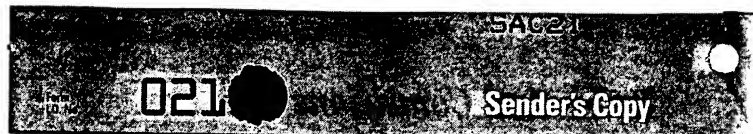
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Third business day* FedEx Envelope/Letter Rate not available
Minimum charge: One-pound rate

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FedEx First Overnight☐ HOLD Saturday
at FedEx Location
Available for FedEx Priority
Overnight and FedEx 2Day
to select locationsDoes this shipment contain dangerous goods?
One box must be checked.☐ No☐ Yes☐ Yes☐ Yes☐ Yes☐ Yes☐ Yes☐ Yes☐ YesAs per attached
Shipper's Declaration
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x kg
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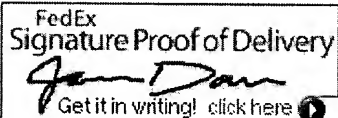
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Second business day☐ FedEx Express Saver*
Third business day* FedEx Envelope/Letter Rate not available
Minimum charge: One-pound rate

4b Express Freight Service

☐ FedEx 1Day Freight*
Next business day☐ FedEx 2Day Freight
Second business day☐ FedEx 3Day Freight
Third business dayPackages over 150 lbs.
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,093	Peter York	0113.00

INTERNATIONAL APPLICATION NO.

PCT/GB00/03328

I.A. FILING DATE	PRIORITY DATE
08/31/2000	08/31/1999

Michael J Rafa
Inhale Therapeutic System
150 Industrial Road
San Carlos, CA 94070

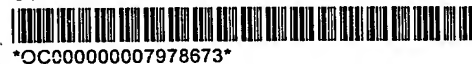
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CONFIRMATION NO. 7330

371 FORMALITIES LETTER

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Date Mailed: 05/01/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Missing Parts 7/1/02

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
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